IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Crl.Rev.Pet.No. 2151 of 2007()

CRA.212/2005 of ADDL. DISTRICT & SESSIONS COURT -I(ADHOC), PATHANAMTHITTA
ST.265/2003 of CHIEF JUDICIAL MAGISTRATE COURT, PATHANAMTHITTA

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

SANTHOSH KUMAR, SUBHA BHAVAN,
KARIMPANAKKUZHY, MAKKAMKUNNU P.O.,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT AND STATE

1. K.S.VIMALADEVI, W/O.C.N.SOMA NATHAN NAIR, KARTHIKA, KODUMTHARA, PATHANAMTHITTA.

2. THE STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. PUZHAKKARA MUHAMMED, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 2151 OF 2007

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Dated this the 1st day of June 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.2,00,000/- and in default to undergo simple imprisonment for three months. Out of the fine amount Rs.1,90,000/- is to be given to the complainant.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.1,90,000/- and in default to undergo simple imprisonment for three months. The revision petitioner is granted six months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before Chief Judicial Magistrate, Pathanamthitta on **01.12.2007** to receive sentence. The accused is ordered to be released forthwith.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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